

**REMARKS/ARGUMENTS**

Prior to the entry of this Amendment, claims 1-46 were pending in this application. Claims 1, 2, 9, 17, 21, 22, 25, 26, 28-30, 36, 38, 39, 40, 42, and 44 have been amended. Claims 6 and 8 have been canceled. Therefore, claims 1-5, 7, and 9-46 remain pending in the application. Applicant respectfully requests reconsideration of these claims for at least the reasons presented below.

**35 U.S.C. § 102 Rejection, Burroughs**

The Office Action has rejected claims 1-14, 17, 21, 25, 26, 28, 30-35, 39, 44, and 45 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,341,289 of Burroughs *et al.* (hereinafter Burroughs). The Applicant respectfully submits the following arguments pointing out significant differences between claims 1-5, 7, 9-14, 17, 21, 25, 26, 28, 30-35, 39, 44, and 45 submitted by Applicant and Burroughs.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628,631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully argues that Burroughs fails to disclose each and every claimed element. For example, Burroughs fails to disclose, either expressly or inherently, that a partitioning method comprises the step of “determining one or more data stores of a set of data stores to service said data access request, said step of determining includes accessing one or more mappings of said one or more variables to said set of data stores and using said mappings to evaluate partition expressions for said data stores wherein said set of data stores comprises at least one relational database and at least one Lightweight Directory Access Protocol (LDAP) directory.”

Burroughs “relates to a schema mapping mechanism for mapping an object between the object-oriented schema of an application program and the relational schema of a database” (Col. 3, lines 39-43). More specifically, “[t]he relational database provides the mechanism for persistently storing object data in the computer system, and can be any suitable relational database such as those available from IBM, Oracle or Microsoft.” (Col. 7, lines 46-50, of Burroughs) That is, Burroughs describes a mapping mechanism using a relational database as a data store. However, Burroughs does not disclose a mapping or partition mechanism using a set of data stores (plural). Further, Burroughs does not disclose that the set of data stores comprise both a relational database and an LDAP directory.

Claim 1, upon which claims 2-5, 7, and 9-20 depend; claim 21, upon which claims 22-24 depend; claim 25, upon which claims 26 and 27 depend; claim 28; claim 29, upon which claims 30-41 depend; claim 42, upon which claims 43-46 depend, each of these claims recites in part “determining one or more data stores of a set of data stores to service said data access request, said step of determining includes accessing one or more mappings of said one or more variables to said set of data stores and using said mappings to evaluate partition expressions for said data stores wherein said set of data stores comprise at least one relational database and at least one Lightweight Directory Access Protocol (LDAP) directory.” Burroughs does not disclose, either expressly or inherently, determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory. For at least these reasons, claims 1-5, 7, 9-14, 17, 21, 25, 26, 28, 30-35, 39, 44, and 45 are distinct from Burroughs and should be allowed. Therefore, Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

**35 U.S.C. § 103 Rejection, Burroughs in view of Bachmann**

The Office Action has rejected claims 15, 16, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Burroughs in view of U.S. Patent No. 6,085,188 of Bachmann et al.

(hereinafter Bachmann). Applicant respectfully submit that claims 15, 16, and 23 are allowable for at least the reason that they depend upon allowable based claims as discussed above. Furthermore the Applicant respectfully traverses the rejection and submits that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims.

In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation (see MPEP §706.02(j)). However, neither reference, alone or in combination, teaches or suggests “determining one or more data stores of a set of data stores to service said data access request, said step of determining includes accessing one or more mappings of said one or more variables to said set of data stores and using said mappings to evaluate partition expressions for said data stores wherein said set of data stores comprises at least one relational database and at least one Lightweight Directory Access Protocol (LDAP) directory.”

As discussed above, Burroughs does not teach or suggest determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory. Rather, Burroughs describes a mapping mechanism using a relational database as a data store.

Bachmann “relates generally to providing directory services in a distributed computing environment.” (Col. 1, lines 6-7) More specifically, Bachmann teaches “mapping entries in a naming hierarchy into first and second relational tables: a parent table, and a descendant table. The naming hierarchy has a plurality of entries each represented by a unique identifier (EID). A preferred implementation is LDAP using a DB/2 backing store.” (Col. 2, lines 31-35) That is, Bachmann teaches providing LDAP directory services to different relational database backing stores while reducing recursive queries of the databases. (Col. 2,

lines 15-22) To this end, Bachmann teaches building a number of tables in a naming hierarchy and using these tables “to ‘filter’ lists of entries returned from a search.” (Col. 2, lines 36-61) However, Bachmann does not teach or suggest determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory.

The combination of Burroughs and Bachmann is no more relevant to the pending claims than is any of the references alone. None of the references, alone or in combination, teach or suggest determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory. Therefore, the reference cited in the Office Action fails to suggest each claimed limitation. For at least these reasons, claims 15, 16, and 23 should be allowed.

**35 U.S.C. § 103 Rejection, Burroughs in view of Mullins**

The Office Action has rejected claims 18, 19, 24, 27, 29, 36, 38, 40-43 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Burroughs in view of U.S. Patent No. 6,999,956 of Mullins. Applicant respectfully submits that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims. For example, the references do not teach or suggest, alone or in combination, each claimed limitation.

As noted above, Burroughs fails to teach or suggest determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory. Rather, Burroughs describes a mapping mechanism using a relational database as a data store.

Mullins “relates in general to correlating or translating one type of database to another type of database or to an object programming application.” (Col. 1, lines 10-12). However, Mullins does not disclose any use at all of an LDAP directory. Rather, Mullins

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teaches only translating from one type of relational database to another type of relational database. Therefore, Mullins does not teach or suggest, alone or in combination with Burroughs, determining one or more data stores of a set of data stores to service a data access request wherein the set of data stores comprises at least one relational database and at least one LDAP directory. Therefore, the reference cited in the Office Action fails to suggest each claimed limitation. For at least these reasons, the rejection should be withdrawn and claims 24, 27, 38, and 42 should be allowed.

### CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,



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